

1 and, with your help, and your input, starting here  
2 today, we can get it right this time.

3 Proponents of consolidation, primarily  
4 the big media companies that want to get bigger  
5 themselves, argue that we can afford less diversity  
6 because there are already so many new options out  
7 there with the internet, iPod, satellite radio and  
8 hundreds of channels on cable and satellite. But  
9 study after study shows that broadcast radio and TV  
10 are still the dominant sources of local news and  
11 information, as well as entertainment programming.  
12 The broadcast industry still produces and  
13 disseminates, and ultimately controls the news, the  
14 information, and the entertainment programs that  
15 inform the discourse that is so essential to our  
16 democracy in this country.

17 As I travel across the country and  
18 participate in forums like this, I was just in one  
19 earlier this week up in Burlington, Vermont, a  
20 little bit more snow on the ground up there, but the  
21 same kind of issues came up. People were  
22 complaining about hyper-commercialism,  
23 homogenization. And they like homogenization up in  
24 Vermont, they think it's good for milk but bad for  
25 ideas. And there's a concern about an unforgivable

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 lack of women and minority ownership, employment and  
2 participation. Women, for example, make up, as we  
3 know, over half the population, but only less than  
4 five percent of the TV stations in this country.  
5 And minority ownership of radio and TV is dismal.  
6 Only 4.2 percent of radio stations and 1.5 percent  
7 of TV stations are owned by African Americans,  
8 Latinos, and Asians. Right here in Harrisburg, the  
9 Hispanics alone comprised 12 percent of the  
10 population and African Americans account for 55  
11 percent, yet neither group owns a single radio or TV  
12 station.

13 This lack of diversity may account for  
14 the inadequate coverage and lack of understanding of  
15 race and ethnic related issues in America. Despite  
16 these dismal numbers, the Commission did acknowledge  
17 this disappointing state of minority and women  
18 ownership in its 2003 decision. To make matters  
19 worse, the Commission repealed the only policy  
20 specifically aimed at fostering diversity of  
21 ownership.

22 The problem can be seen here in  
23 Harrisburg. The statistics, I think, speak for  
24 themselves. According to the Consumer Federation of  
25 Free Press, just four companies control over 79

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 percent of the Harrisburg area news market. There  
2 are three companies that own 60 percent of the  
3 commercial radio stations, with one owning six  
4 stations, thus creating a market where non-local  
5 entities control 75 percent of the radio stations.  
6 This is especially discouraging when considering  
7 that there are no locally owned commercial news  
8 stations. There are no full powered commercial TV  
9 stations owned by ethnic or racial minorities in the  
10 Harrisburg areas and none are owned by women.

11 The good news is that there is a  
12 dominant local newspaper that I hear good things  
13 about, The Patriot-News, is locally owned by a  
14 Harrisburg publishing company. And I'm concerned  
15 with what would happen, though. You have this  
16 outlet that people here are proud of and if the FCC  
17 relaxes its media ownership rules and allows cross-  
18 ownership to take place, what would happen here?  
19 That would allow a big media conglomerate that owns  
20 TV and radio stations in Harrisburg already to then  
21 buy The Patriot-News, which would allow a single  
22 owner to control over 60 percent of the Harrisburg  
23 news market. I don't think we should let that  
24 happen without being very careful.

25 Now, I've heard great things also about

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 the Millennium Music Conference. I'm an amateur  
2 musician myself. And it's held, I guess in nearby  
3 Camp Hill, Pennsylvania. It's providing a real  
4 outlet for musicians to get their voices heard.

5 And I'm pleased that students at a local  
6 high school here have their own FM station, giving  
7 teenagers an opportunity to provide live commentary  
8 on local high school events. We need to encourage  
9 this kind of local flare in our media markets across  
10 the country.

11 The commission has given us  
12 responsibility to oversee the broadcasting industry  
13 in a way that fosters diversity in localism and  
14 prevents undue concentrations of power. That's what  
15 the FCC has been all about since its creation in  
16 1934. So, we're here to find out today what's  
17 happening in Harrisburg in the surrounding area.  
18 You deserve and the law requires programming that  
19 serves the unique needs of your local communities.  
20 And if we're going to craft media ownership rules  
21 that best serve the public interest, we've got to  
22 hear from the public. We've got to hear from you.  
23 And that's why we're here to listen. So thank you  
24 for having us and thank you for coming out.

25 CHAIRMAN MARTIN: Commissioner Tate.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 COMMISSIONER TATE: Thank you so much,  
2 Mr. Chairman. Thank you Mr. Mayor, and all of you  
3 all for being here today so much.

4 It's hard to imagine that by the time  
5 our children attend first grade, that they have  
6 almost watched three years of television. So, the  
7 media does have a pervasive affect on our children,  
8 our children's minds and in fact, our entire  
9 society.

10 As both a state official and now at the  
11 Federal Communications Commission, I have been a  
12 proponent of outreach initiatives to solicit public  
13 input as we are today, because transparency and  
14 government decision making is important and, indeed  
15 forms the basis of our nation's administrative  
16 procedural laws.

17 During our first two hearings, as you've  
18 heard, the first in LA, which is the nation's second  
19 largest media market, and one of the most diverse.  
20 And then in my own hometown of Nashville, Tennessee,  
21 home to a vibrant music industry, we've heard from  
22 not only elected officials, but music legends, song  
23 writers, writers, academics, and well over a  
24 thousand citizens just like you.

25 Now, I welcome the opportunity to hear

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 from citizens of the Harrisburg, Lancaster, York  
2 area, the forty-first, as we've heard, largest media  
3 market, and yet a smaller one than we've been to.  
4 As we continue what I like to think of as an ongoing  
5 conversation with the public about our broadcast  
6 ownership rules.

7 Given this important and pervasive role  
8 that the broadcast media plays in our society's  
9 marketplace of ideas, I'm committed to working with  
10 my colleagues at the FCC to ensure that our actions  
11 do further the touch tone goals of competition,  
12 localism, and of course, diversity of voices.

13 As we review our ownership roles,  
14 however, we must be also mindful of the ongoing and  
15 dramatic changes that have occurred in the way that  
16 we, and especially the new generation, my children,  
17 my college-aged children, Generation I, those who  
18 have actually been raised with the internet in their  
19 lives, and I see many of you out there with  
20 sweatshirts and T-shirts and I'm so glad that you  
21 all are here today, and I really do hope to hear  
22 from you all about how you all receive news and  
23 information and entertainment, anytime, anywhere,  
24 anyhow. Even mobile phones today provide us with  
25 stock quotes and email updates from sources all

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 around our world.

2 We must make sure that we account for  
3 these new voices and new platforms because, from a  
4 regulatory standpoint, the media marketplace of  
5 tomorrow is being shaped by our actions today.

6 I want to thank all of our staff who  
7 have worked long and hard to make this hearing  
8 possible. I look forward, of course, to hearing  
9 from our distinguished panelists and thank you for  
10 being here.

11 And I also want to say that Pennsylvania  
12 is really a place that I also call home. I spent  
13 almost a year here while my father attended the U.S.  
14 Army War College just down the road in Carlisle  
15 Barracks. It always reminds of me of being in  
16 Tennessee with the beautiful rolling hills and we  
17 also share Amish communities as well.

18 In addition to it being a place that I  
19 like to call home, you and your state have also  
20 played such a vital role in our American history.  
21 It's amazing all of the things that have happened  
22 here at Independence Hall, the signing not only of  
23 the Declaration, but also of the Constitution, the  
24 underpinnings of our entire democracy, our entire  
25 form of government that began right here, that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 allows for us to gather here today.

2 So, it's so fitting that we're holding  
3 this hearing here in your home. From the Media  
4 Mecca of LA to Music City and now to the home of our  
5 independent nation. Thank you being here.

6 CHAIRMAN MARTIN: Commissioner McDowell.

7 COMMISSIONER McDOWELL: Thank you, Mr.  
8 Chairman. And I want to thank everyone here in the  
9 Harrisburg and the surrounding area and all the  
10 folks who have worked very hard on short notice to  
11 put this hearing together. This is, by the way,  
12 just a beautiful facility. You all are very very  
13 lucky to have it and we are very very lucky to be  
14 here with you today.

15 I've learned in my almost nine months  
16 here on the Commission as the most junior  
17 Commissioner to be brief, because all of the good  
18 points have already been said by my four colleagues.  
19 So I just want to let you know that I'm delighted to  
20 be here in Harrisburg today, as we continue to build  
21 a record of evidence for the Commission's  
22 comprehensive review of the broadcast ownership  
23 rules.

24 I'm studying the issues with an open  
25 mind and I hope to hear from as many viewpoints on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 the issues as I possibly can. As the Commission's  
2 experience with the 2002 review revealed the debate  
3 over broadcast ownership is a debate about the  
4 vitality of our democracy and the appropriate  
5 balance among competitive efficiencies, diversity of  
6 voices and local focus. This debate elicits the  
7 opinions and passions of people from all walks of  
8 life, from all over America.

9 I'm eager to learn more about the issues  
10 from the perspectives of all of the interested  
11 parties, artists, programmers, broadcasters,  
12 consumers, academics, and many, many others.

13 In particular, I look forward to  
14 learning about competition, diversity, and localism  
15 in the Harrisburg market, and the general greater  
16 market of Central Pennsylvania, from all of you  
17 today. We need the firsthand knowledge that only  
18 you can provide about how our ownership rules affect  
19 you as business people, and as viewers, and  
20 listeners, so that we can determine whether the  
21 times demand that those rules change or not.

22 To our panelists and audience members,  
23 thank you very much for being here today and  
24 participating in our hearing. And I very much value  
25 all of your input. So, without further ado, Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Chairman.

2 CHAIRMAN MARTIN: Thank you. Thank you,  
3 Commissioner McDowell.

4 I want to introduce our moderator for  
5 today is Louis Sigalos, who is going to be helping  
6 us keep on track, although we're already far behind,  
7 but try to keep us on track and giving everyone an  
8 opportunity to speak. So if everyone could be  
9 respectful of him and appreciate him.

10 And I do want to also warn you that we  
11 will not be taking any kind of a break until 12:30,  
12 but it may be that the Commissioners themselves need  
13 to use the restroom around the corner. So, if you  
14 see any of us get up and leave, we'll be back and  
15 we'll make sure we take turns going back there. But  
16 if anybody disappears that's where they've gone.

17 Louis?

18 MODERATOR SIGALOS: Thank you Mr.  
19 Chairman and Commissioners. As we move to our panel  
20 discussion, I would like to review, just briefly,  
21 the ground rules for today's hearing.

22 Panelists, each of you will have five  
23 minutes to make your remarks. Members of the  
24 audience, please listen respectfully to the  
25 panelists, even if you disagree with the views that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 they express. I know that the issues we're  
2 discussing today arouse a lot of passion, but for  
3 this hearing to run smoothly and be successful, we  
4 need to maintain basic decorum and avoid unnecessary  
5 interruptions. Thank you.

6 Okay, participating in this panel, do we  
7 have Cody Anderson? Unfortunately, Mr. Anderson was  
8 unable to attend.

9 We have Bill Baldwin, Executive Vice  
10 President of Hall Communications and General Manager  
11 of WROZ-FM and WLPA-AM, Lancaster, Pennsylvania, and  
12 WSJW-FM, York, Pennsylvania.

13 Jim Haigh, Mid-Atlantic Community Papers  
14 Association. Unfortunately, Charles Leighton was  
15 unable to attend. But we do have Lauri Lebo, York  
16 Daily Record reporter and owner of WWII 720 AM.

17 Joe Lewin, President of Harrisburg  
18 Television, Inc. and General Manager of WHTM TV,  
19 Harrisburg, Pennsylvania.

20 Beth McConnell, Director of PennPIRG.  
21 We have, fortunately willing to attend today, Bishop  
22 Benjamin Peterson, Senior Pastor of the Greater  
23 Bible Way Temple, here in Harrisburg, Pennsylvania.

24 And we have Paul Quinn, President and  
25 General Manager, WGAL TV, serving Harrisburg,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Lancaster, Lebanon and York, Pennsylvania.

2 Well, let's begin. Mr. Baldwin.

3 MR. BALDWIN: Good morning everybody. I  
4 want to thank you for inviting me and letting me sit  
5 on the panel to enjoy, I hope, that everything that  
6 will be brought up today. I also want to thank the  
7 Commissioners and their staff for issuing our  
8 license for the next eight years so we can continue  
9 serving the community. And I hope it wasn't just  
10 issued as Commissioner Copps said, that it was just  
11 a formality. I hope it's because of what we've done  
12 servicing our communities.

13 All communications of which WLPA, WROZ,  
14 and WSJW are part in Harrisburg, York, and  
15 Lancaster, is a family owned group with our CEO and  
16 major stockholder Mrs. Bonnie Hall Rowbotham at the  
17 helm. The mission statement of Hall Commissions, is  
18 our cause is to do what's right for our listeners,  
19 advertisers, families and communities to make a  
20 positive difference in their lives.

21 Hall Communications believes in serving  
22 the community by keeping everything local. We spend  
23 thousands of dollars each year on local research to  
24 give the communities in our area what they ask for.

25 Each station in Hall Communications'

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 family is run locally with no one from corporate  
2 dictating how we program or run our stations. Each  
3 station manager makes his own budget, which is then  
4 reviewed and executed. Hall Communications has 21  
5 stations in our family and try to hire all local  
6 talent for those stations. We are diversified with  
7 many formats, including in some areas, heavy news  
8 commitments and local talk.

9 In the past year, we have worked in  
10 Harrisburg, York, and Lancaster, with many nonprofit  
11 organizations such as the American Lung Association,  
12 Central Pennsylvania Food Bank, Hands-on House,  
13 Children's Museum, Sickle Cell Council of Southern  
14 Pennsylvania, Hospice of Lancaster County, Make-A-  
15 Wish Foundation, Water Street Rescue Missions of  
16 Lebanon and York, Big Brothers Big Sisters of  
17 Harrisburg, Habitat for Humanity of the Humane  
18 League of Lancaster County, the Arthritis  
19 Foundation, the United Way, the Pennsylvania Breast  
20 Cancer Coalition and the Humane League of Harrisburg  
21 helping raise money and filling the community needs.

22 We have then participated in the Hershey  
23 Bears Annual Teddy Bear toss to collect Teddy Bears  
24 for distribution to local hospitals during the  
25 holidays.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1                   In addition to public service and public  
2                   affairs programming, to which our three stations  
3                   give over 30,000 minutes a year locally, we  
4                   participate in town meetings with WGAL, then tailor  
5                   our public affairs programming to address the  
6                   problems the community has brought to our attention.  
7                   We air local and state news on our stations, as well  
8                   as local weather forecasts. Our sports station has  
9                   a heavy commitment to local minor league sports  
10                  which support our communities.

11                  We have sponsored and participated in  
12                  many job fairs with the Chamber of Commerce and  
13                  Pennsylvania Association of Broadcasters. We  
14                  conduct tours of our stations and send station  
15                  personnel to local schools and colleges to discuss  
16                  careers opportunities in radio with students. We  
17                  also are out in the community at a variety of area  
18                  festivals, parades and fairs, during which time we  
19                  talk with our listeners about what is important to  
20                  them.

21                  Hall Communications does not run it  
22                  stations with profit as the main goal. Ninety  
23                  percent of our programming is live and local. We  
24                  hire staff locally. We are an equal opportunity  
25                  employee and encourage women and minorities to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 apply. In fact, 50 percent of our local station  
2 employees are women. Our benefits package is a  
3 dinosaur in this day and age, making Hall  
4 Communications a group that everyone wants to work  
5 for. The average length of employment among Hall  
6 Communications staff is 20 years. I've worked for  
7 this family owned group for 33 years. Turnover is  
8 not something we know a lot about.

9 If you want to see what broadcasters  
10 have done for their communities, look at the  
11 coverage of Hurricane Katrina and how the media  
12 banded together to get word out to the people  
13 locally. Look at the coverage of the sad situation  
14 of October's Amish school shooting, and how the  
15 local media helped raise funds for those injured and  
16 affected. Look at the Amber Alert System and so far  
17 that has found 21 children. Look at the coverage of  
18 Three Mile Island, not just in 1979, but still  
19 today, when there are plant shutdowns. Look at the  
20 coverage of the state legislation's midnight pay  
21 raise and the citizens' successful efforts to make  
22 their displeasure known. And look even at the  
23 coverage of last week's snow and ice storm, with the  
24 media giving constant local weather updates and  
25 traffic information to help get people home, as well

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 as school and business closing information to make  
2 people sure that they didn't venture out  
3 unnecessarily.

4 It's time for people to embrace what we  
5 in radio and television do to help out local  
6 communities, rather than criticize. Additionally,  
7 it's time for radio rules to be fair and to create a  
8 balance in the marketplace so that smaller  
9 companies, such as Hall Communications, can  
10 consolidate in small communities, while not being  
11 overwhelmed by the over consolidation of the  
12 competitors such as cable, broadband providers, and  
13 satellite radio, which could force them out of  
14 business.

15 With the fall of small competitive  
16 broadcasters, such as our family owned company, will  
17 come the fall of local programming and the provision  
18 of local broadcast public service.

19 Thank you very much.

20 MODERATOR SIGALOS: Thank you. Mr.  
21 Haigh.

22 MR. HAIGH: Good morning everybody and  
23 thank you all for taking part in the democracy  
24 today. Thank you Chairman Martin and Commissioners  
25 for holding this important event. It's truly an

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 honor to be here today.

2 My name is Jim Haigh and I'm here on  
3 behalf of the Mid-Atlantic Community Papers  
4 Association and our independently owned member  
5 publishers in Pennsylvania and neighboring states.  
6 I started in the publishing industry at age nine and  
7 have held just about every position in that industry  
8 since.

9 I speak for thousands of publisher peers  
10 across the country and their advertisers who want to  
11 remain locally owned and continue serving our  
12 community stakeholders, not a new set of corporate  
13 shareholders. Of all issues under consideration in  
14 the media ownership review, we are most concerned  
15 with preserving the long-standing newspaper  
16 broadcast cross-ownership rules. We view these  
17 critical safeguards as the last plug in the dam,  
18 holding back the final flood of mergers,  
19 acquisitions, and the ultimate death of locally  
20 owned media.

21 Some of the larger media companies and  
22 their trade associations argue that restricting the  
23 combined ownership of a daily newspaper and multiple  
24 broadcast outlets by a single company in a single  
25 community is heavy handed regulation that unfairly

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 segregates newspapers. However, it is important to  
2 remember that many of the same institutions argued  
3 quite successfully for heavy handed privileges on  
4 the very basis that a daily newspaper is a unique  
5 institution.

6 Those legalized advantages now include  
7 The Newspaper Preservation Act, which allows for the  
8 evasion of antitrust laws, below cost postage, also  
9 called Periodicals mail privileges, and in many  
10 states, actual monopolies, the exclusive right to  
11 publish and bill for legal advertising.

12 Pennsylvania grants such a legal  
13 advertising monopoly to newspapers and the resulting  
14 cost for this advertising are predictably consistent  
15 with the goals of those seeking to eliminate the  
16 newspaper broadcast cross-ownership safeguards.  
17 Here in Harrisburg, local government pays nearly  
18 twice the rate that members of the Automobile  
19 Dealers Association pay for the same space in the  
20 same ink because they can't really shop around for  
21 alternatives.

22 The economics of monopoly are echoed in  
23 the FCC's own detailed analysis of radio rates after  
24 the great wave of consolidation set loose by the  
25 Telecom Act of 1996. The aggressive consolidation

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 of that medium on the most local of levels, where  
2 competition was eliminated by acquisition, allowed  
3 the companies holding the biggest pieces of the  
4 radio pie to set rates virtually at will. As the  
5 FCC itself found, the fallout to radio advertisers  
6 was a 74 percent bigger price tag in real dollars in  
7 the short span of just six years.

8 It is important to consider that these  
9 examples relate only to advertising within their  
10 respective medium and the conditions would be  
11 compounded exponentially if the safeguards against  
12 newspaper broadcast cross-ownership were removed.  
13 Bear in mind that 99 percent of American communities  
14 do not have competing daily papers. One paper holds  
15 the dominant position in print and in local online  
16 traffic and advertising. Arguably, these are  
17 natural monopolies in themselves.

18 In Pennsylvania's communities, similar  
19 statistics hold true, as does the most recent trend  
20 of tight regional clusters of media ownership. In  
21 the greater Harrisburg region, a single company has  
22 assembled a tight cluster of the major dailies in  
23 the three contiguous counties of York, Adams, and  
24 Franklin, as well as Lebanon County's daily. Dense  
25 daily clusters abound in all corners of the state

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 buttressed over the last decade by the clusters of  
2 paid and free weeklies, as local competitors were  
3 swallowed whole.

4 In print and in broadcast, large players  
5 have already eliminated much of their competition  
6 through acquisition, as the Department of Justice  
7 and Federal Trade Commission ignored antitrust  
8 enforcement obligations. From our perspective,  
9 battling ourselves in these highly concentrated  
10 local markets, we passionately assert that the local  
11 marketplace of real world communities, our boroughs,  
12 our townships, our cities, our counties, cannot  
13 withstand the blunt force trauma of a bold new  
14 cross-media creature, a single entity that would now  
15 own the only daily paper and its companion  
16 publications and web press, in addition to a solid  
17 cluster of radio stations, and even one or more  
18 television stations. As desirable as that prospect  
19 might be for that new conglomerate, shareholders or  
20 private equity partners, it would be disastrous  
21 public policy for competitors, small business  
22 owners, and all citizens.

23 Such unrivaled market force and the  
24 corresponding tools for leverage would obliterate  
25 all remaining prospects of fair competition.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Moreover, it would surely force much of what remains  
2 of independent local media to actually have to merge  
3 for their very survival. The fallout to our  
4 industry will snowball onto the entire local  
5 business community, the backbone of our local  
6 economies themselves competing with national chains,  
7 in the form of higher rates and fewer effective  
8 advertising options.

9 The DOJ and the FTC's laissez-faire  
10 approach to the local media marketplace compels  
11 extreme diligence on the part of the FCC. Please do  
12 not allow a select group of large corporations the  
13 privilege of transforming the service of our  
14 nation's airwaves from a public trust into a private  
15 predatory tool. Now more than ever, we need to keep  
16 the long-standing cross-ownership safeguards in  
17 place.

18 MODERATOR SIGALOS: Thank you. Ms.  
19 Lebo.

20 MS. LEBOS: Good morning. Thank you for  
21 allowing me to be here today, Commissioners.

22 Until three weeks ago, I was a newspaper  
23 reporter at the York Daily Record in York,  
24 Pennsylvania, a community 30 minutes south of here.  
25 I grew up in York County and today I live less than

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 a mile from where I was raised. I have been a  
2 journalist for 20 years and I have worked at a  
3 number of newspapers throughout Pennsylvania.

4 Ten years ago, I returned home to work  
5 at the York Dispatch Sunday News, where I was  
6 privileged to be part of a team of investigative  
7 reporters, working to solve two civil rights era  
8 murders. The York Dispatch's reporting played a  
9 crucial role in the arrest of York's mayor and help  
10 lead to convictions in both killings after three  
11 decades. As a journalist, it was my proudest  
12 moment, knowing that we helped bring justice to my  
13 community.

14 The national media came for the press  
15 conferences and dramatic testimony, but the digging  
16 through our town's history, the pouring over 30 year  
17 old records, enduring the threats and tirades of  
18 angry men with dark secrets, and coaxing the time  
19 softened memories from victims' families, that work  
20 was done by the local press.

21 Three years ago, the owner of our  
22 newspaper, Dean Singleton, of MediaNews, flew in  
23 from Colorado and visited our newsroom. He had just  
24 purchased our competitor, the York Daily Record and  
25 was moving our Sunday operations down the street.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 Mr. Singleton's people read the names of 18  
2 journalists. My name was on that list. Clean out  
3 your desks, we were told, because tomorrow morning,  
4 you will report to work for the competition. As  
5 part of exercising his Department of Justice  
6 approved option in a joint operating agreement, what  
7 Mr. Singleton did that day was consolidate York's  
8 media and gut our newsroom. Then he shook all our  
9 hands before climbing back on his corporate jet to  
10 fly home.

11 I did indeed report for work the next  
12 morning at the Daily Record and while I was there, I  
13 was again privileged to report on a story of  
14 national interest. I was the lead reporter covering  
15 the first constitutional test case of Intelligent  
16 Design, the idea that life's complexity demands a  
17 guiding hand. Following a six week trial, which  
18 drew media attention from around the world, a  
19 federal judge ruled that the Dover Area School  
20 District's Intelligent Design policy was creationism  
21 and said teaching it in science class violated the  
22 First Amendment.

23 In my articles, I worked hard to  
24 accurately reflect what happened in the courtroom  
25 and not just pull from my notebook one quote from

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 each side and present the debate as evenly balanced  
2 because I believe it is our job, our responsibility,  
3 to sift through the information and report what is  
4 true and place the information in the proper  
5 context.

6 Dr. Kevin Padian, a University of  
7 California evolutionary biologists and one of the  
8 Dover trial's expert witnesses, told me that there  
9 is actually a greater need now for scientific  
10 literacy in the media. For better or for worse, the  
11 public's knowledge of science comes primarily from  
12 the press. But the crimping of resources means that  
13 all too often, science stories are written by  
14 reporters without a background in the field.

15 Some stories may do well with a He Said,  
16 She Said kind of balance but not all ideas in  
17 science are equal. They have to be tested against  
18 other lines of evidence, he told me. But many  
19 reporters don't realize that science is not a  
20 democratic enterprise. Consequently, some reporters  
21 will present a nonscientific issue such as  
22 Intelligent Design, as having more legitimacy than  
23 it should. As Padian said, that reporter is doing a  
24 disservice to readers and actually misrepresenting  
25 what science is about.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 I have recently left the York Daily  
2 Record to write a book about Dover's battle. I have  
3 learned, since then, that my reporter position at  
4 the newspaper has been eliminated. So, after  
5 several years of already strident newsroom cuts,  
6 there will be one less body to gather the news in  
7 York, despite the fact that MediaNews' profit margin  
8 last year was a healthy 14.8 percent, and the  
9 reporters who remain will have to work that much  
10 harder to fill the gap.

11 There is one other element to my story.  
12 A year ago, my father passed away and left his  
13 family the local storefront Christian radio station  
14 he owned and operated. The station's religious  
15 programming features news with an evangelical world  
16 view, hosted by a local people from many different  
17 backgrounds. Does the radio station make a lot of  
18 money? No. Does it earn a profit? Yes. But its  
19 greatest strength is in the voice it gives people  
20 from diverse backgrounds who might not otherwise be  
21 heard.

22 The diversity of voices is already under  
23 attack in the country and more concentrated  
24 ownership is not the answer. This is why preserving  
25 the ban on cross-ownership of newspapers and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)